

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

Minutes of Meeting

February 21, 2003

Attendance:

Jerry Tepe, Board of Architects, licensed architect
Tyler Carlisle, Board of Engineers, licensed electrical engineer
Bob Longchamps, NH Electrical Contractors Business Assoc., licensed master electrician
Richard Swain, NH Plumbing & Mechanical Contractors Association
Med Kopczynski, Assistant City Manager Keene, NH Municipal Association
Fred Baybutt, Assoc. General Contractors, contractor non-residential
Wes Golomb, State energy conservation code office
Tedd Evans, Board for licensing and regulation of plumbers, licensed master plumber
Ray Cowan, PE, Board of Engineers, licensed structural engineer
Senator Bob Clegg, Chairman, designee for the Department of Safety
Ken Andrews, NH Building Officials Assoc., municipal building official
William Smagula, PE, Board of Engineers, licensed mechanical engineer

With a quorum of the Board present, Chairman Clegg so declared and called the meeting to order. Notice of the meeting was posted at the Department of Safety and State House, the State Fire Academy and the Legislative Office Building a minimum of 2 weeks prior to scheduled meeting date.

Ratify the actions that the Board took at the last meeting. In the original notice for hearing, it allowed comments for 10-days. Motion was made by Jerry Tepe to ratify this month on all the Code changes that were voted on last month. Motion was seconded by Tyler Carlisle. Vote was in the affirmative there being no against. And was so declared by the Chair.

Adoption of Minutes:

Ken Andrews wanted the minutes reflected to show that he was NOT in attendance at last months meeting.

Motion was made by Med Kopczynski to accept the minutes of the January 10, 2003 meeting. Motion was 2nd by Rick Swain. Chairman asked for any further deletions, omissions, changes other than the one Ken Andrews gave. There being none and no discussion, Chairman Clegg asked for a vote. Vote was in the affirmative and so declared accepted.

Power Point/Web Site presentation:

Margaret McQueeney is from the Department of Safety's IT Division. John Stephen said that she and her group in IT were working on the web site and stated that Safety is looking for comments on what the Committee feels should be made available to the public on the web site.

Listing of the Board members: suggested that a link to each email or web site could be made. Consensus was that individual emails would not be a good idea - as all correspondence should go through the Committees single email. *Contact page:* will have a direct link to the Office of the Commissioner (Evvy) with the web address of: ' a direct link to the International Building Code as a read only file. One technical note: the National Electric Code is not part of the International Codes. The title of the page should be STATE BUILDING CODES. Want to get a direct link made to click on so that any changes made by this Committee would be listed NH CHANGES, they are on now and can be downloaded. *Hearing notices page:* will list the next/current public hearing dates, times, locations. *Responsibilities page:* lists the responsibilities of the Board. *Rules page:* lists the Rules effective. The site should be up and running within 2 weeks. John stated that he would like to see a *Frequently Asked Questions page*, and asked that each Board member contribute something to Evvy on this subject.

Rule Changes to NH State Building Code relative to Plumbing:

Exhibit 3 - Proposed Amendments to NH State Building Code should be Exhibit 4.

New Business:

Mark Hilbert: representing the Electricians (inaudible) and the Senior Electric inspector for New Hampshire. And I have written a letter on behalf of the Board to this Committee, and if I could Mr. Chairman, I would like to read the letter, if that's possible, or would you just prefer . . .

Chairman Clegg: I think if you would just give us a quick over-view.

Mark: Primarily, the letter is regards to the inspectors are asking the Committee to adopt the 2002 National Electrical Code into the State Building Code, replacing the 1999. Currently, the Electricians Board has offered the 2002 NEC of July 1, 2001 we adopted that code. And, again I would just like to say that we look forward to working with the Committee in the future, there is no apparent (inaudible) to circumvent the Committee in that adoption policy, but as you know, we adopt through the Joint Legislative Committee on Administrative Rules, prior to this Committee being formed, and that is a lengthy process. We started that back in January before the Board was up and running. That is how we ended up with a different code. What they are asking is that the Committee consider adopting the 2002 published National Electric Code in the State Building Code. This created a little bit of confusion in the field. We have licensed electricians under RSA 10:19 B - that basically have to install to the more stringent rules of the 2002 Code if you will, and we have others that are not licensed through the Board. Those that meet the exceptions through RSA 319:C, and those that are installing perhaps by alarm law and remote controlling signally, that is not under RSA 319:C, they're installing through the 99 Code, our electricians that are licensed under our RSA 2002. So we respectively requesting that the Committee adopt the 2002 so that we can do this uniformly, and every body is installing to the same version of the NEC.

Chairman Clegg: Ok do you understand that in order to do that, we will have to hold a public hearing next month and that you will come back?

Mark Hilbert: Yes Mr. Chairman.

Chairman Clegg: Ok. Any questions?

Ken Andrews: This clean up bill that has been introduced . . . does that make this change?

Chairman Clegg: No.

Ken Andrews: It does not. Ok. So there's nothing legislative level right now that makes this change.

Chairman Clegg: Nope.

Ken Andrews: Ok. Thank you.

Tyler Carlisle: Do we now need a motion to waive the petition rules?

Chairman Clegg: I have to wait until he is done. Any questions of the . . . Bob?

Bob Longchamps: BBPA Electrical Contractors Association, backs this letter, this adoption.

Chairman Clegg: Any questions of Mr. Hilbert?

Med Kopczynski: Are you asking for straight adoption of the 2000 NEC, or are there also amendments to the 2000.

Mark Hilbert: That is a very good question. Thank you. We've been . . . adopted as it reads. So we're just asking for the adoption of the 2002, NEC National Electrical Code which is NFPA 70.

Med Kopczynski: And you will be prepared at the public hearing to speak to what changes there are between the two coded, and what effect it might have on local jurisdictions, and enforcement of the Code?

Mark Hilbert: Yes sir.

Jerry Tepe: Say you adopt it straight out, and I will admit I am not as familiar with the NEC and I am with some of the other Codes, part of what we are hearing today are "fill in the blank" type of modifications where its intended that you fill in like the name of the jurisdiction and I mean that type of thing. Does that sort of thing occur in the NEC?

Mark Hilbert: I am not quite sure I understand sir.

Jerry Tepe: For example, that the Plumbing Code that we are hearing today, the first sentence in there says "This code, something to the effect, this code shall be known as the "fill in the blank" Plumbing Code. You fill in the blank with New Hampshire, or Town of Keene, or whatever. Is that the sort of thing . . .

Mark Hilbert: No sir. The International Electric Code and NEC (inaudible) 99 be adopted.

Chairman Clegg: Are there any other questions of this gentlemen. If not, thank you. An now a motion would be in order.

Mark Hilbert: Thank you Mr. Chairman.

Tyler Carlisle: I would move that we waive the petition rules and accept Exhibit 4 and request a public hearing on the code change. Do we have an Exhibit number?

Chairman Clegg: We do not have an Exhibit number.

John Stephen: Any time a petition is issued to the Board, the text of the proposed changes has to be submitted. Unless the Board decides to waive that procedure. I believe that is what this motion would be about, to send this to the public hearing, and then the Board will decide at the next meeting, so you need to be a date certain, you can schedule that at a hearing. And the motion should state specifically the waiver applies to those Rules. So the text wouldn't have to be forwarded.

Chairman Clegg: I believe that's what your motion was?

Tyler Carlisle: That was the exact motion.

Chairman Clegg: Second?

Bob Longchamps: Second.

Chairman Clegg: Any discussion?

?: Legal notice for 30 days, and the meeting is scheduled for March 14, I was wondering if that was going to be . . .

John Stephen: I believe it says within 30 days. I don't believe legal notice says 30 days. Sufficient legal notice is 24 hours for a public hearing. And that will be complied with.

Chairman Clegg: I think this motion is trying to cover all the aspects because we do have confusion, it's important that we get it in. Any other discussion? All those in favor say Aye.

Aye.

Chairman Clegg: Opposed? Seeing none, we will hear it at the next hearing. I believe its March 14.

Mark Hilbert: Thank you very much.

Ray Cowan: Point of law Mr. Chairman. If we have the hearings then we are presented with the documentation then, would you expect that we would have a vote at that point, or would that vote be taken at a different date?

Chairman Clegg: We can take a vote the same day we have the hearings.

Ken Andrews: Point just to . . . today we had the . . . to allow additional comments for another 10 days after the last hearing. Is that not the case here?

Chairman Clegg: No. The reason why we did that is when they posted the notice, they posted it with a 10-day comment period, which isn't usual for this type of a Board. It's usual only in the Joint Legislative Rules provisions.

Ken Andrews: Ok. Thank you.

Public Hearing:

Chairman Clegg: Ok we can go back to the public hearing. Exhibit 3 is being distributed now. According to the Public Notice - the State Building Code is hereby providing notice of public hearing concerning proposed amendments to the 2000 Edition of the International Plumbing Code relative to: 1) amending regulations and requirements for plumbing contractors, and 2) non-refundable fees. Chair recognizes Ted Evans.

Ted Evans: Thank you Mr. Chair. Ted Evans representing the NH Board of Regulation for Plumbers, and I am here today to review the proposed amendments the Board has submitted for approval. I would like to start out there was a couple of background information. For the last 15-20 years, the Plumbing Board has had a tradition of amending the Plumbing Code in some, and some would call it a substantial manner. My recollection is that there were some additions to the Code that had as many as 12 pages of amendments. And there were many of us that were critical of that process and were recommending that the amendments be limited and that the amendments that you have in front you here, are the results of a Code review committee, as was the practice with the Plumbing Board for many years, to set up Code review committees to review current code before adoption, and make recommendations for amendments. That would be NH specifically.

Ted: And the last Committee that met, I believe it was back in the year 2000 on the Code, when it was first published, made the following recommendations with a couple of exceptions, 1) being the water temperature issues, were not from the Committee, but rather from the Board, and the one provision with regard to grease interceptors and grease traps, which also came directly from the Board, and did not come from the Committee. So what I would like to do without objection is to go through each amendment that is proposed, and make comments to those, and answer any questions the Board members may have. So bear with me if you would please.

Ted: As you well know, we have an interim rules adoption that did permit the four house keeping amendments, and I will try to highlight those, as we go through. The first one being letter A - the title - not much involved here, it's just to add the words "New Hampshire" in as the title of the code. Amendment B has to do with a reference to the International Fuel Gas Code - the Committee felt that it was important to clarify and eliminate this reference to the International Fuel Gas Code since this was not the adopted code for New Hampshire. I understand there has been comment about whether that's required or not, but that's what the Committee felt was appropriate. With regard to letter C, amendment C - rulemaking authority - the intent here was that the State Board of Licensing and Regulation of Plumbers be, use the word repository for any multiple amendments that have taken place in the State Code of the Plumbing Codes so that there would be one source for those who wanted to know what amendments were in place for various local communities. Letter D refers to fees - and this has been proposed to be eliminated from the Code since any fees that are going to be collected, are going to be collected by the local jurisdiction. And that is noted in Letter D. Letter C in the Code refers to fee refunds, and it made sense to the Committee to delete since we weren't going to be collecting any fees on a state-wide basis so there shouldn't be any provisions for refunds either. So basically we propose it be eliminated. Letter F - violation tells you that its one of the ones we have on (inaudible) adoption. This is one of those 'so called' fill in the blank provisions of the Code, where the Code provides for violations to be penalized and this is a response to what penalties there should be for violations of Code. Letter G - very similar . . . when one ignores a stop work order, penalty is a misdemeanor. Again, this is a fill in the blank requirement where the Code specifies an offense, but leaves it blank for us to fill it in. Letter H has to do with more of a technical nature because of the depth of sewage and the proposal is to address this by referencing RSA 485 which deals with private sewer disposal systems for a minimum depth, rather than stating one. And then the second part would be stating a minimum depth for building sewers. That is . . . ones that connect to public sewers. Being a minimum depth of 4 feet or to be adequately insulated to afford the same protection. This is one amendment that has been in place for a number of years. Letter I has to do with water temperatures. And what I would like to do is expand a little on these water temperature issues when I complete this, but I would like to come back to this and just say that, there has been over, I think, 15 years, an attempt to limit injuries through scalding incidents by limiting water temperatures coming from water heaters and tankless coils, and being

delivered to certain faucets. So what this is is an attempt to do is be consistent with amendments that have been in place for a long time, and are proposed to continue. Specifically this one is tankless coil, tankless heaters which without regulation, are frequently in the 180+ even 200 degree temperature ranges. Same temperature range as a boiler water is set for, and making scalding extremely likely or possible. Letter J deals with, again, water temperature control. The Code is talking about systems being equipped with automatic temperature control and the exact wording of the change here is the wording that's been in our amendments for again, over 15 years. Restricting water temperatures that supply faucets for domestic or personal hygiene use to a maximum of 130 degrees. Letter K also dealing with water temperature, and this is one that was not recommended by the Committee, but was recommended and being proposed by the Board, and as a side note, it has been in place in Nashua for over a year now, and that states simply that water heaters in direct and indirect fire and water storage tanks be maintained at a minimum of 140 degrees, and be equipped with a temperature controlling device that conforms to ASSE1017 to provide for maximum hot water temperatures as required, otherwise by the Code. Again, I want to try and get into a little more detail on those, probably the more controversial of the proposal. And I want to reserve a couple of minutes after I complete the rest of these to try and address that.

Ted: Letter L is a . . . refers to changing a table. Which is in the Plumbing Code for allowable materials for water service piping. Water service piping is the pipe that comes from the street to the house, bringing water into the house. And in the past, and proposed here, would be the elimination of all the types of copper other than type K copper, which is the thickest version of copper tubing for use for that purpose. There are obviously other materials that can be used, but the intent here is that you try to address what many consider to be locations with aggressive water, corrosive water to try to afford the longest service that would be available for copper or copper alloy tubing. N is very similar - except water distribution which are those inside the building. And here the 2 types of copper tubing, copper alloy tubing that may permitted to be type K or type L and those would be the 2 thickest wall thickness tubing. Unfortunately, there is not much, if any, scientific basis for this. And, as a matter of fact, there's some reason to assume that if water is that aggressive and can attack the thinner walls as much as

(TAPE STOPPED)

(unknown speaker)David Wilson: really happened on that. I stopped to try and get some yesterday to bring up to town meeting in Danville, and what it is, is my supplier doesn't even stock it anymore. There isn't anybody I know of that even wants to use it. That's one thing I hope we can strike the word purple from that line on the proposed amendments.

David Wilson: The other thing I wanted to speak to would be letter K minimum water heater temperature. I've done some testimony on . . . here today, and it would seem to me . . . I don't see any reason why somebody would not want to have this in their home. There have been cases where people have gotten ill from Legionnaire's Disease due to bacteria breeding at that temperature, maybe not in this state, but it has happened in the country. I did not bring information for that, but I probably could get it. So, that's the main reason. (inaudible) I remember back, probably 10 years ago in the state, there was an infant where a woman was bathing an infant in the kitchen sink, and its difficult to control water temperatures in houses without this kind of device. One example would be an electric water heater. Such water heaters have thermostats that are exempted, some of them come without adjustable thermostats. They don't come from the factory with thermostats. The temperature you get is the temperature you get. But without the water tempering device on there, it would be very unsafe. What happened in this certain instance, my memory serves me right, the woman was bathing the child, she pulled the

drain on the sink, in the meantime she was doing dishes in the dishwasher, she turned her back for just a couple of seconds while the sink was draining, the dishwasher started to drain. The dishwasher drained through the drain of the sink, which is (inaudible) a lot of people make. The hot water came up through the drain, and it must have been pretty hot water, I don't recall hot it was, but it definitely wasn't tempered down to an acceptable level, and it scalded the infant pretty badly. It appeared in headlines of papers I know that. So that's just another example to have for tempering device on a hot water source. I guess that's about it.

Chairman Clegg: Any questions?

Ken Andrews: Section 501 of the Plumbing Code deals only with residences?

David Wilson: Section 501 of the Plumbing Code . . . is that in the packet here?

Ken Andrews: Yea, it's the water temperature sections that are being proposed to be amended. The reason why I ask the question is it doesn't say just residential. This says all hot water heaters. The argument that we are making may in fact be somewhat valid, but would you like the same argument in other than a residential use?

David Wilson: Specifically, which one are you talking about?

Ken Andrews: Any one of them. Any one.

Chairman Clegg: As it would apply to a commercial restaurant.

David Wilson: As a matter of fact, yes, and I can give you some examples of that. That's actually a very good example, commercial restaurant. The reason for that is because there is different temperatures required usually in commercial restaurants. For example, sanitizing, hand wash sink - you wouldn't want over 130 degrees. But yet a commercial dishwasher might call for 160 degrees, to get the dishes clean. So in that case, you would want that tempering device, because you can temper the hot water supply going to those hand wash faucets, down to 130 degrees and then you can keep the water heater at a higher temperature, an elevated temperature to serve your dishwasher that in a lot of cases, calls for a higher temperature to properly remove grease and food and other things. So I just can't see any . . . any . . . I can't find any reason why somebody would not want this.

Rick Swain: In the incident you just related to us, I am not sure a tempering value would necessarily solve that because a lot of your dishwashers have booster units on them and most people are using those temps . . . I mean you could have a tempering valve, have a booster unit on the same incident could occur. And we are also talking about an incident that shouldn't have occurred. I mean obviously, there was a sequence of events that occurred for that. I'm not sure you can . . . by adding a tempering valve in every water heater in the State, you end up (inaudible).

David Wilson: That's a good point. I see where you are coming from. However, but, back to the beginning of your reply. . . not all commercial restaurants have a booster on the dishwashers. Some of them . . .

Rick Swain: I am sorry, residential, on the incident you related about the child getting burned from the discharge of a dishwasher. All, every residential dishwasher has a booster on it. Which, if you had lower temperature water, say that tank could have been set at 120, that actually fed the dishwasher, and if the booster heater was on, it would normally be on, if somebody had that hooked up to water and (inaudible) that incident could occur with the tempering valve.

Rick Swain: Let's . . . when you are talking about a drain backing up, it basically . . . is when you (inaudible - more than one speaking at one time)

David Wilson: that's how it happened I think - yes.

Rick Swain: And notwithstanding that, what does the residential dishwasher prove the temperature to?

David Wilson: I don't know. So the drain backing up to me is something that . . . maybe a 1 in a million chance of that happening, but it could happen. And in this case it came from hot water from a dishwasher, maybe next time it will be hot water from a bowl, a 2-bowl sink. You have the bowl, the drain comes up. And again that is a valid point that you have, but at least I know that I came here today and I did my part to try and prevent this. If in the future, someone is harmed or hurt by this is some way, at least I will be able to rest comfortably, and know that I did my part.

Rick Swain: I am glad that you came.

David Wilson: I am too. Thank you for my opportunity to speak.

Chairman Clegg: Thank you very much for speaking. Is there anyone else? Yes ma'am.

I am representing NH Plumbing and Mechanical Contractors Association and I think you all got a copy of our position paper on the (inaudible) amendments.

Chairman Clegg: Are you introducing this?

Representative for NH Plumbing & Mechanical Contractors Association: I guess I am.

Chairman Clegg: Thank you. It will become part of the minutes.

Representative for NH Plumbing & Mechanical Contractors Association: Thank you. I am not going to go over it in details because I think its pretty short and (inaudible). But I did just want to point out that parts (inaudible) we are of the opinion that there should be few, if any, amendments to the Code. Mainly those that are needed to insert, just fill in the blanks, so I (inaudible) in the state. There are some amendments in here that we do not have a problem with. But, if you don't want to adopt the minutes period, you want to keep the Code as clean as they are. We could (inaudible). Probably the most . . . our strong suggestion is actually to prove in water temperatures and residential water heaters. We do not believe the documentation exists to prove that residential water heaters are a source of Legionella. We don't . . . if it was that big, the problem would have been handled on a nationwide basis. We also don't think we saw conclusive evidence on the scald injuries, and so for that reason, just because we didn't feel that we saw documentation, or couldn't find any ourselves, but we just didn't think it was justified. And that's (inaudible)

Chairman Clegg: Any questions from the Board? Seeing none, thank you very much. Is there anyone else to speak? Yes sir.

Robert Ives: I own Bow Plumbing and Heating, in Bow New Hampshire. And I'm a member of the NH Plumbing & Mechanical Contractors Association. A lot of these amendments are . . . add-on items. That's what amendments are, but a lot of them are pretty capricious. A 20-foot length for the grease trap piping, that was a number that was basically picked out of the sky. Has no scientific evidence, no basis of fact. In my experience, I have had grease laden waste lines, 300 feet long, that haven't plugged up.

It depends on what the people are maintaining the systems are doing to maintain it. In a Utopian society, the grease trap is cleaned out every night after the dishes are done. In reality, it's cleaned out at best, once a year. When that happens, they are creating an unsanitary condition in a food preparation area. You have to lift the top off, scoop the grease out, throw it in a bucket, take it out to the dumpster. In my estimation, the outside grease interceptor is the best way to go - its removed from the kitchen, removed from the food prep area. 20 feet is not very far, when you are talking about a parking lot, right outside the kitchen where it's usually at. You need to get outside the parking area a hundred feet wouldn't be extraordinary in some instances. If we go back to the hot water tempering valve, (inaudible) I got 3 instances right in the City of Concord where the tempering valve is replaced every 6 months, because of the action of the water and the tempering valve. And at \$75.00 a piece, the installation cost is \$225.00 to replace this valve every 6 months in the City of Concord. Heritage Heights Retirement Community has very expensive mixing valves, they are \$400.00 a piece. They have to be maintained every 3 months. So this tempering valve is not a 1-shot deal. You don't just put it on a water heater and forget about it. It is actually maintained on a regular basis, its very expensive and I believe the number I heard last was 50,000 water heaters replaced in the State of New Hampshire every year, and at \$200 - \$250 added cost per heater . . . that's a lot of money. And this . . . this amendment doesn't say size heater. This could be anywhere from an under the counter instant hot water heater, to a 3,000 gallon water heater. Makes no definition to size, residential requirements or size of tank. I just think a lot of these amendments were put in by the Committee by election to board. A lot of people thought about it. But I don't think they are really needed in the Code. The purple primer one however, is definitely needed. When you destroy a \$500 tub with 3 drops of purple primer (tape seized up) its awful.

Chairman Clegg: Any questions? Seeing none, thank you very much for coming up.

Robert Ives: Thank you very much.

Chairman Clegg: Is there anyone else who would like to speak? Mr. Blaisdell, I know you are a lobbyist, and I know you have been sitting there. Is there anything you would like to speak to us . . .

Mr. Blaisdell: No I am all set. Can I come back?

Chairman Clegg: Gary Abbott. Sure.

Mr. Blaisdell: Thank you.

Chairman Clegg: State your name again for the record please.

David Wilson: I didn't really speak about cost, when talking about tempering valves. I think about my industry, we've come a long way. This technically advances the plumbing system - no doubt about it. It's a good thing. I've installed quite a few of them, and I don't, I use something called Sparco. In my experience anyway, I haven't had any problems with them. They are very accurate. But as far as costs go . . . ya I don't know how far we can take that . . . that sort of thought process. We think back generations ago when plumbing was first getting popular, getting out of the out-house . . . I mean you know we could also say well you know, a water installed in my house is \$500. I can heat the water on my stove and fill the bathtub. I do not know how far you can go with that. Ya, it does add a little bit more money to the systems, it's a superior . . . gives you superior installation and a better product. And I guess . . . I guess, to me looking at the cost of it, you know, I can almost liking it too well. Anybody else in any other industry, well you know, we don't want to put your bags in the car if its gonna add maybe \$70 to the cost of the car, you know. If you take a look at the protections, benefit of it to the

public, I think that the possibilities of protecting someone, far out-weighs the normal costs.

Chairman Clegg: Two questions for you. 1. You mentioned a certain brand name. For the benefit of the person's who's going to transcribe, will you spell that. Cause I know she's gonna call me.

David Wilson: Sure. S-P-A-R-C-O.

Chairman Clegg: Thank you. The second question is: You're a plumber?

David Wilson: Yes sir.

Chairman Clegg: And you, right now, put in these valves in every installation you do? Just as a normal course of action?

David Wilson: Just about. I . . . I mention it. My customers ask, you know, they ask more by telling them about it. I promote it. And when I educate the consumer on it. . . . probably 80% of the people have gone with it. And its something once they are taught how to use it, and how it works, it is a little bit more money, at the installation, however, I have never had someone say 'gee I want you to come back and take that out.'

Chairman Clegg: Thank you. Ted.

Ted Evans: Mr. Wilson, do you feel the . . . how long have you been installing these tempering devices?

David Wilson: A little over a year.

Ted Evans: And its true, isn't it, that this is a requirement in the City of Nashua and all (inaudible) to your knowledge, (inaudible).

David Wilson: That's correct.

Ted Evans: And. . . and I know you, I want to say this carefully, I know you spend some time in the supply houses, and you heard through the (inaudible) trade that there are anybody having any difficulties, with any of these devices, they have to replace them on a 3-month basis.

David Wilson: Never.

Chairman Clegg: I think the next question Ted is do you know the difference between the hardness of the water in Bow and the chemical analysis of both Bow's water and Nashua's water?

David Wilson: I know Nashua has a PH of 7, I think its 7 parts per million.

Chairman Clegg: That's corrosive. And Bow?

David Wilson: I don't know about Bow, but I think anything below 7 parts per million is more corrosive.

Chairman Clegg: Go ahead Ted.

Ted Evans: In your expertise, if you had a device that was being attacked by a (inaudible) of water, such as a tempering device, do you think its fair to assume that all

valves and all the devices from that installation would be subject to the same kind of corrosive activity?

David Wilson: That's correct and that's an opportunity for me to benefit the consumer by making them aware of water conditioning products that will protect all devices in their building.

Chairman Clegg: Any other questions? Yes. State your name first. Thanks Wes.

Wes Golomb: Could you tell me approximately what is the incremental cost for a home owner for a residential systems to have a tempering device?

David Wilson: Its usually just under \$200.

Wes Golomb: And have you ever had to replace one? And how old was it if you did?

David Wilson: I . . .I've never replaced one on a water heater. Ever in my 20 years now.

Wes Golomb: But, you've only been doing them for 1 year. Correct?

David Wilson: Well, I've been consistently doing them for a year, but I've done them off and on as the situations demand my whole career.

Wes Golomb: Thank you.

Chairman Clegg: Bob - last question.

Bob_Longchamp: Are you a member of the NH Plumbing Contractors Association?

David Wilson: No I am not. Could I ask a question?

Chairman Clegg: You have to ask it of the whole Committee, you can not ask it of one person.

David Wilson: Ok. How does that have a bearing on my attendance here today, if I belong to a certain association.

Chairman Clegg: It doesn't have any bearing at all.

Bob Longchamp: No bearing at all. These people were speaking on behalf - I just thought that maybe you were a 3rd person.

David Wilson: Ok. No. No. Not at all. No affiliation whatsoever.

Chairman Clegg: Not only that, but if you had been a member of that Plumbers and Heaters Association . . . and you were opposed to it, it would have said that there was not a unanimous decision by the bodies. No reflection on you.

David Wilson: No no. (inaudible) As I've said, this could be something . . .that's . . . I've got a good reception from people from it, and, I . . . I (inaudible) and I promote them and I know that other areas don't require them. And I work in other areas, and other towns, and I still install them. I still . . . put them in. People have been real happy with them.

Chairman Clegg: Thank you very much.

David Wilson: Thank you.

Chairman Clegg: I'm gonna tell you that I got 3 minutes. You can have one of them.

?: Make sure everybody realizes, this Code is a minimum standard. I install these parts on leaky valves myself. But the Code itself is a minimum standard. And if you keep putting the bar up higher and higher, its just going to cost the consumer more and more money. You can go way over and above what's in this Code. (inaudible)

Chairman Clegg: Ted . . . you got 10 seconds. Hold on.

Ted Evans: Would you agree that it's a minimum standard to maintain public health?

?: Public health? Yes.

Chairman Clegg: Thank you very much. Ok, we have exactly 3 minutes to clear the room. Is there any other business to come before us? I am not going to take or ask for a vote on this because there are too many questions that I need to go to the Attorney General for. So, if there is no objection, we will act on this next month.

?: (inaudible)

Chairman Clegg: Yes. We will allow discussion amongst the Committee and we will have reports, and I am assuming Gary . . . you're going to bring something . . . or you will get it to us prior to that.

Gary: Email?

Chairman Clegg: Email would be perfect - because then the body could look at it. Ray?

Ray: Just clarification . . are we closing the public portion of this hearing now?

Chairman Clegg: Oh I am sorry, the public portion of this is closed. Now we are in our own. Yes thank you.

?: I have just one question from this package. Are we going to vote this as a package, or are we going to . . .

Chairman Clegg: We can do it anyway you want. You can do it one item at a time . . . which I think somebody has already requested . . . not formally but . . . that's probably the way you would do it.

?: Ok. No problem.

Chairman Clegg: If you have amendments that will make certain sections work better . . . bring them with you. Try to get them to the rest of the body well in advance. I would suggest that those of you are here today and concerned, show up on the 14th. There won't be a public hearing, but the body does have the ability to ask further questions of those of you that might want to come. Fred . . . I'm not gonna promise you can testify again, but if the body wants to ask you specific questions, you will be able to.

?: Motion to adjourn.

Chairman Clegg: Thank you. Second.

?: Second.

Chairman Clegg: All in favor. Vote was in the affirmative and so declared this meeting adjourned.

Reminder:

The next Board meeting will be on March 14st, 2003. The future meeting will be as follows:

April - 11th
May - 9th
June - 13th
July - 11th
August - 8th
September - 12th
October - 10th
November - 14th
December - 12th